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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SAMIE ABBAS,

Plaintiff,

-v-

OFFICER TATE,

Defendant.  
-----X

**ORDER**

20-CV-3636 (JGK) (JLC)

**JAMES L. COTT, United States Magistrate Judge.**

By Order of Reference dated March 29, 2022 (Dkt. No. 45), Judge Koeltl referred this case to me for general pretrial supervision. To that end, the Court scheduled a conference for June 29, 2022. Counsel for Defendant appeared. A representative from the Upstate Correctional Facility also appeared to inform the Court that Plaintiff refused to participate in the conference. Accordingly, the Court conferred briefly with Defendant's counsel for the purpose of setting the following deadlines:

- (1) By **July 8, 2022**, Defendant will issue a subpoena to the New York City Department of Correction to obtain the report arising from the investigation of the incident in question; and
- (2) By **July 29, 2022**, Defendant will file a motion to implead the City of New York.

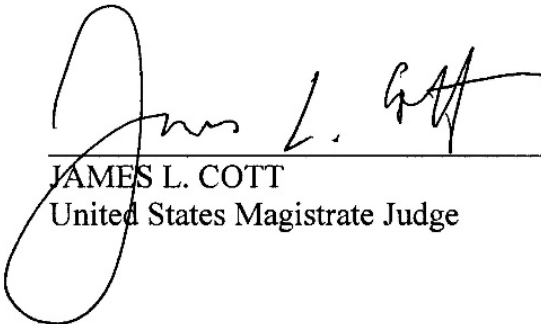
The Court will set a date for another conference to set a discovery schedule once the motion to implead has been decided.

In addition, Defendant's counsel is instructed to file a letter documenting Plaintiff's refusal to participate in the June 29, 2022 conference for purposes of completing the record.

Plaintiff is hereby advised that if he fails to participate in future conferences, his case could be dismissed for failure to prosecute.

**SO ORDERED.**

Dated: June 29, 2022  
New York, New York



JAMES L. COTT  
United States Magistrate Judge